

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JUSTIN SOKOL,

Plaintiff,

v.

WELLS FARGO BANK, N.A. and JOHN
DOES 1-5 and 6-10,

Defendants.

Civil Action No. 21-16758 (FLW)

ORDER

THIS MATTER having been opened to the Court by the Magistrate Judge's Report and Recommendation (ECF No. 19), dated August 25, 2022, recommending that Plaintiff Justin Sokol's ("Plaintiff") claims against Defendant Wells Fargo Bank, N.A. ("Defendant") be dismissed under Fed. R. Civ. P. 41(b) for a failure to prosecute or otherwise comply with the rules or orders of the Court; it appearing that the Magistrate Judge found that the factors set forth in *Poulis v. State Farm Fire & Cas. Co.*, 747 F.2d 863, 868 (3d Cir. 1984) dictate that involuntary dismissal pursuant to Rule 41(b) is appropriate because Plaintiff has failed to produce any documents in discovery and that Plaintiff's counsel has been unresponsive to inquiries from opposing counsel and the Court (ECF No. 19 at 7-10); it appearing that this Court's independent assessment of the *Poulis* factors also confirms that dismissal is proper under Rule 41(b) since Plaintiff and his counsel have completely ceased communications with Defendant and the Court, including counsel's failure to appear at two status conferences in this matter; it appearing that while the Court cannot discern who is at fault for this lack of communication, counsel's actions are imputed to his client; and it further appearing that no parties have objected to the Magistrate

Judge's recommendations; accordingly, for the reasons set forth in the Magistrate Judge's Report and Recommendation,

IT IS on this 8th day of September, 2022,

ORDERED that the Magistrate Judge's Report and Recommendation dated August 25, 2022, is hereby **ADOPTED**; and it is further

ORDERED that Plaintiff's claims against Defendant are dismissed with prejudice; and it is further

ORDERED that the Clerk is directed to close the case.

/s/ Freda L. Wolfson
Hon. Freda L. Wolfson
U.S. Chief District Judge